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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/517,149		
	Filing Date	March 2, 2000	
	First Named Inventor	Minoru Horii	
	Group Art Unit	2615	
	Examiner Name	Poon, King Y.	
Total Number of Pages in This Submission	49	Attorney Docket Number	351778.04000

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response To Notice Of Abandonment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition for Revival <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

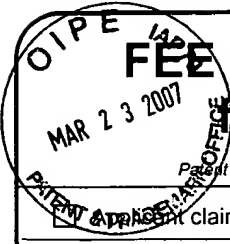
Firm or Individual name	Doyle B. Johnson (Reg No. 39,240) ReedSmith, LLP
Signature	
Date	March 20, 2007

CERTIFICATE OF MAILING

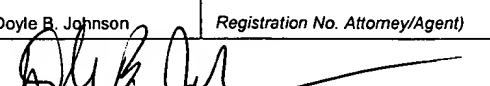
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <u>March 20, 2007</u>			
Typed or printed name	Norma E. Gillespie		
Signature		Date	March 20, 2007

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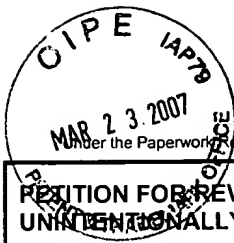
 <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2002</h3> <p style="font-size: small; margin: 0;">Patent fees are subject to annual revision.</p>		Complete if Known	
Patent Applicant claims small entity status. See 37 CFR 1.27		Application Number 09/517,149	Filing Date March 2, 2000
TOTAL AMOUNT OF PAYMENT (\$) 1,500		First Named Inventor Minoru Horii	Examiner Name Poon, King Y.
Attorney Docket No. 351778.04000		Group / Art Unit 2625	Attorney Docket No. 351778.04000

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																			
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None Order <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 50-2603 Deposit Account Name: REED SMITH LLP The Commissioner is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td>1,500</td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Doyle B. Johnson	Registration No. Attorney/Agent	39,240
Signature		Telephone	415-659-5969
		Date	March 20, 2007

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
351778.04000

First named inventor: Minoru Horii

Application No.: 09/517,149

Art Unit: 2625

Filed: March 2, 2000

Examiner: Poon, King Y.

Title: Printer And Printing Method (As Amended)

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of Response To Notice Of Abandonment (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been paid previously on _____.

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09517149

03/26/2007 WABDELRI 00000047 502603

1500.00 DA


01 FC:1453

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

 _____ Doyle B. Johnson _____ Signature _____ Typed or printed name _____ Two Embarcadero Center, Suite 2000 _____ Address _____ San Francisco, CA 94111 _____ Address	March 20, 2007 _____ Date 39,240 _____ Registration Number, if applicable 415-659-5911 _____ Telephone Number
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Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other : _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

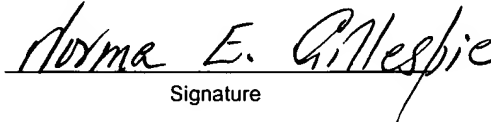
I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

March 20, 2007

 Date



 Signature

Norma E. Gillespie

 Typed or printed name of person signing certificate



Attorney Docket No. 351778.04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Minoru Horii

Serial No. 09/517,149

Filed: March 2, 2000

Title: PRINTER AND PRINTING METHOD
(AS AMENDED)

Examiner: Poon, King Y.

Group Art Unit: 2625

PETITION TO REVIVE

Commissioner for Patents
US Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Petition to Revive the above-identified patent application which was abandoned in error by the Office as indicated by the attached documents – (1) Response To Notice Of Abandonment, (2) copy of Amendment mailed February 2, 2006 and copy of returned postcard, (3) copies of Applicant Initiated Interview Request, Amendment after Final faxed February 17, 2006, (4) Advisory Action mailed February 21, 2006. Also enclosed are copies of the (5) Request for Continued Examination (RCE), Petition for Extension of Time, Preliminary Amendment, Fee Transmittal, Transmittal Form and copy of return postcard (copies enclosed) which was mailed on April 10, 2006 and received in the Patent Office on April 13, 2006 (see copy of postcard stamped by the USPTO) and (6) copy of a Notice of Abandonment due to Failure to Respond to Office Action mailed on February 7, 2007.

The Commissioner is hereby authorized to charge any fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.78 to Deposit Account No. 50-2603, **referencing Attorney Docket No. 351778.04000.**

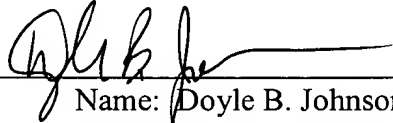
A duplicate sheet is attached.

Respectfully submitted,

REED SMITH LLP

Dated: March 20, 2007

By: _____



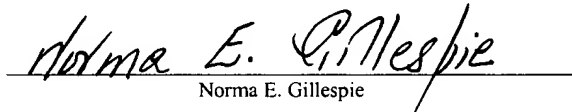
Name: Doyle B. Johnson
Registration No. 39,240
Attorneys for Applicants

Two Embarcadero Center, Suite 2000
P.O. Box 7936
San Francisco, CA 94120-7936
Direct Dial (415) 659-5911
(415) 543-8700 Telephone
(415) 391-8269 Facsimile

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Dated: March 20, 2007


Norma E. Gillespie



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
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(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number	09/517,149
Filing Date	March 2, 2000
First Named Inventor	Minoru Horii
Art Unit	2624
Examiner Name	Poon, King Y.
Attorney Docket Number	351778.04000

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Reed Smith, LLP		
Signature			
Printed name	John W. Carpenter		
Date	2/2/2006	Reg. No.	39,129

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Mary Kelley John Carpenter	Date	2/2/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO FEE TRANSMITTAL for FY 2005

MAR 23 2007

Effective 10/01/2006. Patent fees are subject to annual revision.

☒ Application claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0.

Complete if Known

Application Number 09/517,149

Filing Date March 2, 2000

First Named Inventor Minoru Horii

Examiner Name Poon, King Y.

Art Unit 2624

Attorney Docket No. 351778.04000

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-2603

Deposit Account Name REED SMITH LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	2001	790	395	Utility filing fee	
1002	2002	350	175	Design filing fee	
1003	2003	550	275	Plant filing fee	
1004	2004	790	395	Reissue filing fee	
1005	2005	200	100	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 4 29** = 0 X 50 = 0

Independent Claims 1 8** = 0 X 200 = 0

Multiple Dependent X = 0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	2202	50	25	Claims in excess of 20	
1201	2201	200	100	Independent claims in excess of 3	
1203	2203	360	180	Multiple dependent claim, if not paid	
1204	2204	200	100	** Reissue independent claims over original patent	
1205	2205	50	25	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					0.

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	2051	130	65	Surcharge - late filing fee or oath	
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet.	
1053	2053	130	130	Non-English specification	
1812	2520	2,520	2,520	For filing a request for reexamination	
1804	920*	920*	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1,840*	1,840*	Requesting publication of SIR after Examiner action	
1251	2251	120	60	Extension for reply within first month	
1252	2252	450	225	Extension for reply within second month	
1253	2253	1020	510	Extension for reply within third month	
1254	2254	1,590	795	Extension for reply within fourth month	
1255	2255	2,160	1,080	Extension for reply within fifth month	
1401	2401	500	250	Notice of Appeal	
1402	2402	500	250	Filing a brief in support of an appeal	
1403	2403	1,000	500	Request for oral hearing	
1451	1451	1,510	1,510	Petition to institute a public use proceeding	
1452	2452	500	250	Petition to revive - unavoidable	
1453	2453	1,500	750	Petition to revive - unintentional	
1501	2501	1,400	700	Utility issue fee (or reissue)	
1502	2502	800	400	Design issue fee	
1503	2503	1,100	550	Plant issue fee	
1460	1460	130	130	Petitions to the Commissioner	
1807	1807	50	50	Processing fee under 37 CFR 1.17 (q)	
1806	1806	180	180	Submission of Information Disclosure Stmt	
8021	8021	40	40	Recording each patent assignment per property (times number of properties)	
1809	2809	790	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	2810	790	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	2801	790	395	Request for Continued Examination (RCE)	
1802	1802	900	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 0

SUBMITTED BY

Name (Print/Type) John W. Carpenter

Signature [Signature]

Registration No. (Attorney/Agent) 39,129

Telephone 415-659-5927

Date 2/2/06

Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Attorney's Docket No. 351778.04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

MINORU HORII

For: Printer and Printing Method (As Amended)

Application No. 09/517,149

Filing Date: March 2, 2000

Examiner: Poon, King Y.

Group Art Unit: 2624

AMENDMENT

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated December 8, 2005, please amend the above identified application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

In the Claims

1. – 34 (Cancelled)

35. (Previously Presented) A printer, comprising:

an image processor configured to apply a series of image processing settings to a first image to produce a series of second images that include images with a progressively higher image processing setting than the first image and images with a progressively lower image processing setting than the first image;

a print section configured to,

print the first image on a printing medium,

print each second image having progressively higher image processing settings in a first direction relative to the printed first image, and

print each second image having progressively lower image processing settings in a second direction relative to the printed first image; and

an input section configured to retrieve a user selection of one of the second images;

wherein:

the image processor is further configured to apply a next series of image processing settings to the selected second image to produce a third set of images; and

the print section is further configured to print the selected second image and the third set of images.

36. (Previously Presented) The printer according to Claim 35, wherein the image processing settings comprise at least one of R, G, B, tint, brightness, and sharpness.

37. (Previously Presented) The printer according to Claim 35, wherein:

the image processing settings comprise a tint comprising R, G, and B settings;

the second images are printed so as to surround the first image; and

the third images are printed so as to surround the selected second image.

38. (Previously Presented) The printer according to Claim 35, wherein the image processor and print section are configured to repeatedly prepare and print images until a desired image is produced.

REMARKS

Favorable consideration of this application is respectfully requested.

Claims 35 – 38 are currently active in this case. Claims 25 – 29, 31 and 32 were previously cancelled and Claims 1 – 24, 30, 33 and 34 have been cancelled by way of the present amendment. Each of the claims presented herein are supported by the specification and claims as originally submitted and no new matter has been added.

In the outstanding Office Action, Claims 35 and 38 were rejected under 35 U.S.C. 102(b) as being anticipated by *Tsuboi et al.* (US Pat. 5,119,182, hereinafter *Tsuboi*), and Claims 36 and 37 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Tsuboi* as applied to Claim 35 and further in view of *Yang et al.* (US Pat. 5,606,395, hereinafter *Yang*).

Applicants respectfully traverse the rejection of Claim 35 as being anticipated by *Tsuboi*. Claim 35 recites:

35. (Previously Presented) A printer, comprising:
an image processor configured to apply a series of image processing settings to a first image to produce a series of second images that include images with a progressively higher image processing setting than the first image and images with a progressively lower image processing setting than the first image;
a print section configured to,
print the first image on a printing medium,
print each second image having progressively higher image processing settings in a first direction relative to the printed first image, and
print each second image having progressively lower image processing settings in a second direction relative to the printed first image; and
an input section configured to retrieve a user selection of one of the second images;
wherein:

the image processor is further configured to apply a next series of image processing settings to the selected second image to produce a third set of images; and

the print section is further configured to print the selected second image and the third set of images.

However, the cited reference fails to teach or suggest similar subject matter.

Applicants respectfully traverse the assertion in the outstanding Office Action which states *Tsuboi* produce a series of second images and print each second image having “*progressively higher image processing settings in a first direction relative to the first printed image*” and print each second image having “*progressively lower image processing settings in a second direction relative to the second printed image.*” As a preliminary matter, Applicants respectfully note the citation to Fig. 6 which is presented as teaching the “*the progressively higher*” and “*progressively lower*” image processing settings in printed images in first and second directions. However Fig 6 is a mosaic rather than directional output of printed images (*Tsuboi*, col. 6, lines 32-33, Fig. 6). In particular, *Tsuboi*’s mosaic output is not supportive of progressively different image processing settings in either first or second directions.

More importantly, *Tsuboi*’s mosaic printed images do not teach “*image processing settings*” that are either “*progressively higher*” or “*progressively lower*” in any direction. The outstanding Office Action cites “*C2M2Y2 is in the lower direction of C1M1Y1,*” and “*C0M0Y0 are at a higher direction of C1M1Y1.*” Applicants admit that C2M2Y2 is in a “*lower direction*” of C1M1Y1 and that C0M0Y0 is in a “*higher direction*” of C1M1Y1, however, *Tsuboi*’s mosaic images in either the “*lower direction,*” or the “*higher direction*” do not contain the “*progressively higher*” or “*progressively lower*” image processing settings as required in Claim 35.

More particularly, with respect to C0M0Y0, which is in the “*higher direction*” from C1M1Y1 (but which contains lower image processing settings compared to C1M1Y1), the images printed in any direction between C1M1Y1 and C0M0Y0 contain images that have image processing settings that are either the same as those in C1M1Y1 or higher than those contained in either C1M1Y1 or C0M0Y0 (e.g., all images in row m_2 have a higher M (Magenta) image processing setting than found in either C1M1Y1 or C0M0Y0). Therefore, *Tsuboi*’s mosaic

printout cannot be said to contain “*progressively lower image processing settings in a second direction relative to the second printed image.*”

Likewise, with respect to C2M2Y2, which is in the “*lower direction*” from C1M1Y1 (but which contains higher image processing settings compared to C1M1Y1), the images printed in any direction between C1M1Y1 and C2M2Y2 contain at least one image that has image processing settings that are the same as C1M1Y1 or lower than those contained in either C1M1Y1 or C2M2Y2 (e.g., all images in row m_0 have a lower M (Magenta) image processing setting than found in either C1M1Y1 or C2M2Y2). Therefore, *Tsuboi*’s mosaic printout cannot be said to contain “*progressively higher image processing settings in a second direction relative to the second printed image.*”

Therefore, Applicants respectfully submit that Claim 35 cannot be anticipated or rendered obvious over *Tsuboi* because the cited reference fails to teach or suggest subject matter specifically claimed in Claim 35. Accordingly, Applicants respectfully submit that Claim 35 is patentable over *Tsuboi*.

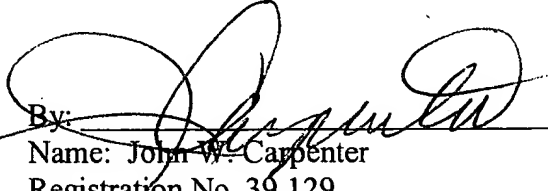
Based on the patentability of Claim 35, Applicants further respectfully submit that dependent Claims 36 – 38 are also patentable. If the Examiner disagrees with any of the foregoing, Applicants respectfully request that the Examiner call the undersigned who will be happy to work with the Examiner in a joint effort to resolve any remaining issues.

Consequently, no further issues are believed to be outstanding, and it is respectfully submitted that this case is in condition for allowance. An early and favorable action is respectfully requested.

Respectfully submitted,
REED SMITH LLP

Dated: 2/2/2006

Two Embarcadero Center
Suite 2000
PO Box 7936
San Francisco, CA 94120-7936
Direct Dial (415) 659-5927
(415) 543-8700 Telephone
(415) 391-8269 Facsimile

By: 
Name: John W. Carpenter
Registration No. 39,129
Attorney for Applicant

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Dated: 2/2/2006


Mary K. Kelly

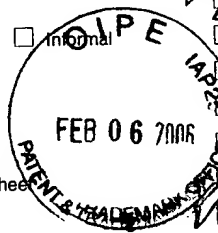
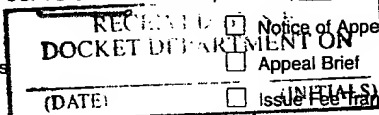
DOCSSFO-12425061.1-JCARPENTER2/2/06 11:01 AM



Application No. 09/517,114 RS Ref.: 351778.04000 Atty: JWC
In re application of: Minoru Horii
Date Mailed: 2/2/2006 Due Date: 3/8/2006

The following has been received in the USPTO on the date stamped hereon:

- ☒ Transmittal ☐ Notice of Appeal
☐ Provisional Application: _____ pages ☐ Appeal Brief
☐ Utility Application: _____ pages ☐ Issue Fee Transmittal Form
☐ Design Application: _____ pages ☐ Fee Transmittal Form
☐ Drawings: _____ sheets ☐ Formal ☐ Informal ☐ Check
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Attorney Docket No. 351778.04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Minoru Horii

Serial No. 09/517,149

Filed: March 2, 2000

Title: PRINTER AND PRINTING METHOD
(AS AMENDED)

Examiner: Poon, King Y.

Group Art Unit: 2625

RESPONSE TO NOTICE OF ABANDONMENT

Commissioner for Patents
US Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Response to a Notice Of Abandonment mailed February 7, 2007. The abandonment is in error as indicated by the following documentation.

On December 8, 2005 a Final Rejection Office Action was mailed from the Office and received in our offices on December 13, 2005. An Amendment was mailed to the Office on February 2, 2006 and forwarded to the Examiner on February 10, 2006. Attorney John Carpenter conducted an Interview with Examiner King Y. Poon on February 16, 2006 and an Amendment After Final was faxed to the Examiner on February 17, 2006. An Advisory Action was mailed by the Examiner on February 21, 2006 and received in our offices on February 27, 2006.

A Request For Continued Examination (RCE), Petition for Extension of Time, Preliminary Amendment, Fee Transmittal, Transmittal Form and copy of return postcard

(copies enclosed) was mailed on April 10, 2006 and received in the Patent Office on April 13, 2006 (see copy of postcard stamped by the USPTO). We then received a Notice of Abandonment due to Failure to Respond to Office Action on February 12, 2007.

From the above documentation the Notice of Abandonment is in error and the Petition to Revive should be granted and the application returned to pending status with no Petition fees charged to us.

Your prompt attention to this matter will be appreciated.


The Commissioner is hereby authorized to charge any fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.78 to Deposit Account No. 50-2603, **referencing Attorney Docket No. 351778.04000. A duplicate sheet is attached.**

Respectfully submitted,

REED SMITH LLP

Dated: March 20, 2007

By: _____

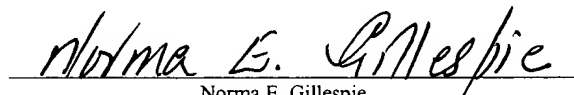

Name: Doyle B. Johnson
Registration No. 39,240
Attorneys for Applicants

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P.O. Box 7936
San Francisco, CA 94120-7936
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Dated: March 20, 2007


Norma E. Gillespie



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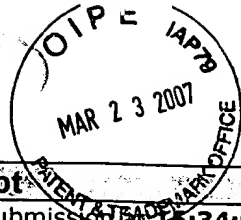
Fax Information
Date Received: 2/17/2006 6:15:05 PM [Eastern Standard Time]
Total Pages: 10 (including cover page)

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From: John W. Carpenter Direct Phone: 415.559.5927 Email: jcarpenter@reedsmith.com Date: February 17, 2006			Reed Smith LLP Two Embarcadero Center Suite 2000 San Francisco, CA 94111-3922 415.543.8700 Fax 415.391.8269		
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NOTES:					
US Patent Application Serial No. 09/517,149					
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PAGE 1/10 (RCV) AT 2/17/2006 6:15:05 PM [Eastern Standard Time] * SVR:USPTO-EP-8269 * DNR:2738300 * CSD:415 391 8269 * DURATION (mm:ss) 02:51					

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The USPTO has received your submission on **15:34:03** Eastern Time on **30-MAR-2006**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

eFiled Application Information

EFS ID	1014771
Application Number	09517149
Confirmation Number	4549
Title	Printer having selectable printing parameters and a method therefor
First Named Inventor	Minoru Horii
Customer Number or Correspondence Address	Adam H Tachner Crosby Heafey Roach & May PO Box 7936 San Francisco CA 94120-7936 US 415 659-5911
Filed By	John Walter Carpenter/Maryalice Kelley
Attorney Docket Number	21778.04000
Filing Date	02-MAR-2000
Receipt Date	30-MAR-2006
Application Type	Utility

Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
Change_of_Correspondence.pdf	1	Change of Address	211313 bytes	◆ PASS

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/517,149	
	Filing Date	March 2, 2000	
	First Named Inventor	Minoru Horii	
	Art Unit	2624	
	Examiner Name	Poon, King Y.	
Total Number of Pages in This Submission	9	Attorney Docket Number	351778.04000

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Reed Smith, LLP		
Signature			
Printed name	John W. Carpenter		
Date	2-17-06	Reg. No.	39,129

CERTIFICATE OF TRANSMISSION/MAILING			
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Signature			
Typed or printed name	Mary Kelley	Date	2/17/2006

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FEE TRANSMITTAL
for FY 2005
Effective 10/01/2004. Patent fees are subject to annual revision.
☐ Applicant claims small entity status. See 37 CFR 1.27
TOTAL AMOUNT OF PAYMENT (\$) 0.

Complete if Known

Application Number	09/517,149
Filing Date	March 2, 2000
First Named Inventor	Minoru Horii
Examiner Name	Poon, King Y.
Art Unit	2624
Attorney Docket No.	351778.04000

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:

Deposit Account Number: 50-2603
Deposit Account Name: REED SMITH LLP

The Director is authorized to: (check all that apply)
☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	790	2001	395	Utility filing fee	
		1002	350	2002	175	Design filing fee	
		1003	550	2003	275	Plant filing fee	
		1004	790	2004	395	Reissue filing fee	
		1005	200	2005	100	Provisional filing fee	
SUBTOTAL (1)							(\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: 4 29** = 0 X 50 = 0
Independent Claims: 1 8** = 0 X 200 = 0
Multiple Dependent: X = 0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1202	50	2202	25	Claims in excess of 20	
		1201	200	2201	100	Independent claims in excess of 3	
		1203	360	2203	180	Multiple dependent claim, if not paid	
		1204	200	2204	100	** Reissue independent claims over original patent	
		1205	50	2205	25	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)							0.

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051	65	Surcharge - late filing fee or oath	
		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
		1053	130	2053	130	Non-English specification	
		1812	2,520	1812	2,520	For filing a request for reexamination	
		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
		1251	120	2251	60	Extension for reply within first month	
		1252	450	2252	225	Extension for reply within second month	
		1253	1020	2253	510	Extension for reply within third month	
		1254	1,590	2254	795	Extension for reply within fourth month	
		1255	2,160	2255	1,080	Extension for reply within fifth month	
		1401	500	2401	250	Notice of Appeal	
		1402	500	2402	250	Filing a brief in support of an appeal	
		1403	1,000	2403	500	Request for oral hearing	
		1451	1,510	1451	1,510	Petition to institute a public use proceeding	
		1452	500	2452	250	Petition to revive - unavoidable	
		1453	1,500	2453	750	Petition to revive - unintentional	
		1501	1,400	2501	700	Utility issue fee (or reissue)	
		1502	800	2502	400	Design issue fee	
		1503	1,100	2503	550	Plant issue fee	
		1460	130	1460	130	Petitions to the Commissioner	
		1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
		1806	180	1806	180	Submission of Information Disclosure Stmt	
		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
		1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	790	2801	395	Request for Continued Examination (RCE)	
		1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** (\$0).

SUBMITTED BY

Name (Print/Type)	John Carpenter	Registration No. (Attorney/Agent)	39,129	Telephone	415-659-5927
Signature				Date	2/17/06

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Attorney's Docket No. 351778.04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

MINORU HORII

For: Printer and Printing Method (As Amended)

Application No. 09/517,149

Filing Date: March 2, 2000

Examiner: Poon, King Y.

Group Art Unit: 2624

AMENDMENT AFTER FINAL

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated December 8, 2005, please amend the above identified application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

In the Claims

1. – 34 (Cancelled)

35. (Currently Amended) A printer, comprising:

an image processor configured to apply a series of image processing settings to a first image to produce a series of second images that include images with a progressively higher image processing setting than the first image and images with a progressively lower image processing setting than the first image;

a print section configured to,

print the first image on a printing medium,

print each second image having a progressively higher image processing setting[[s]] in a first direction relative to the printed first image, and

print each second image having a progressively lower image processing setting[[s]] in a second direction relative to the printed first image; and

an input section configured to retrieve a user selection of one of the second images;

wherein:

the image processor is further configured to apply a next series of image processing settings which are set for forming a set of images in a plus or minus direction for each of parameter values to the selected second image to produce a third set of images; and

the print section is further configured to print the selected second image and the third set of images[[.]]; and

said selected second image and each of said third set of images are printed with corresponding parameter values which are expressed as a change value from an initial parameter value of the first image.

36. (Previously Presented) The printer according to Claim 35, wherein the image processing settings comprise at least one of R, G, B, tint, brightness, and sharpness.

37. (Previously Presented) The printer according to Claim 35, wherein:

the image processing settings comprise a tint comprising R, G, and B settings;

the second images are printed so as to surround the first image; and
the third images are printed so as to surround the selected second image.

38. (Previously Presented) The printer according to Claim 35, wherein the image processor and print section are configured to repeatedly prepare and print images until a desired image is produced.

REMARKS

Favorable consideration of this application is respectfully requested.

Claims 35 – 38 are currently active in this case. Claim 35 has been amended and Claims 1 – 24, 30, 33 and 34 have been cancelled by way of the present amendment. The amended claim is supported by the specification and claims as originally submitted and no new matter has been added.

In the outstanding Office Action, Claims 35 and 38 were rejected under 35 U.S.C. 102(b) as being anticipated by *Tsuboi et al.* (US Pat. 5,119,182, hereinafter *Tsuboi*), and Claims 36 and 37 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Tsuboi* as applied to Claim 35 and further in view of *Yang et al.* (US Pat. 5,606,395, hereinafter *Yang*).

Applicants respectfully traverse the rejection of Claim 35 as being anticipated by *Tsuboi*. As amended, Claim 35 recites:

35. (Currently Amended) A printer, comprising:
an image processor configured to apply a series of image processing settings to a first image to produce a series of second images that include images with a progressively higher image processing setting than the first image and images with a progressively lower image processing setting than the first image;
a print section configured to,
print the first image on a printing medium,
print each second image having a progressively higher image processing setting[[s]] in a first direction relative to the printed first image, and
print each second image having a progressively lower image processing setting[[s]] in a second direction relative to the printed first image; and
an input section configured to retrieve a user selection of one of the second images;

wherein:

the image processor is further configured to apply a next series of image processing settings which are set for forming a set of images in a plus or minus direction for each of parameter values to the selected second image to produce a third set of images; and
the print section is further configured to print the selected second image and the third set of images[.]; and
said selected second image and each of said third set of images are printed with corresponding parameter values which are expressed as a change value from an initial parameter value of the first image.

However, the cited reference fails to teach or suggest similar subject matter.

Applicants respectfully traverse the assertion in the outstanding Office Action which states *Tsuboi* produce a series of second images and print each second image having “*progressively higher image processing settings in a first direction relative to the first printed image*” and print each second image having “*progressively lower image processing settings in a second direction relative to the second printed image.*” As a preliminary matter, Applicants respectfully note the citation to Fig. 6 which is presented as teaching the “*the progressively higher*” and “*progressively lower*” image processing settings in printed images in first and second directions. However Fig 6 is a mosaic rather than directional output of printed images (*Tsuboi*, col. 6, lines 32-33, Fig. 6). In particular, *Tsuboi*’s mosaic output is not supportive of progressively different image processing settings in either first or second directions.

More importantly, *Tsuboi*’s mosaic printed images do not teach “*image processing settings*” that are either “*progressively higher*” or “*progressively lower*” in any direction. The outstanding Office Action cites “*C2M2Y2 is in the lower direction of C1M1Y1,*” and “*C0M0Y0 are at a higher direction of C1M1Y1.*” Applicants admit that C2M2Y2 is in a “*lower direction*” of C1M1Y1 and that C0M0Y0 is in a “*higher direction*” of C1M1Y1, however, *Tsuboi*’s mosaic images in either the “*lower direction,*” or the “*higher direction*” do not contain the “*progressively higher*” or “*progressively lower*” image processing settings as required in Claim 35.

More particularly, with respect to C0M0Y0, which is in the “*higher direction*” from C1M1Y1 (but which contains lower image processing settings compared to C1M1Y1), the images printed in any direction between C1M1Y1 and C0M0Y0 contain images that have image processing settings that are either the same as those in C1M1Y1 or higher than those contained in either C1M1Y1 or C0M0Y0 (e.g., all images in row m_2 have a higher M (Magenta) image processing setting than found in either C1M1Y1 or C0M0Y0). Therefore, *Tsuboi*’s mosaic printout cannot be said to contain “*progressively lower image processing settings in a second direction relative to the second printed image.*”

Likewise, with respect to C2M2Y2, which is in the “*lower direction*” from C1M1Y1 (but which contains higher image processing settings compared to C1M1Y1), the images printed in any direction between C1M1Y1 and C2M2Y2 contain at least one image that has image processing settings that are the same as C1M1Y1 or lower than those contained in either C1M1Y1 or C2M2Y2 (e.g., all images in row m_0 have a lower M (Magenta) image processing setting than found in either C1M1Y1 or C2M2Y2). Therefore, *Tsuboi*’s mosaic printout cannot be said to contain “*progressively higher image processing settings in a second direction relative to the second printed image.*”

Furthermore, Claim 35 has been amended to recite that the image processing settings are “*set for forming a set of images in a plus or minus direction for each of parameter values,*” and that the third set of images are “*printed with corresponding parameter values which are expressed as a change value from an initial parameter value of the first image.*” However, Applicants respectfully note that none of the cited art references teach or suggest printing a third set of images with corresponding parameter values which are expressed as a change in value from an initial parameter value of the first image.

Therefore, Applicants respectfully submit that Claim 35 cannot be anticipated or rendered obvious over *Tsuboi* because the cited reference fails to teach or suggest subject matter specifically claimed in Claim 35. Accordingly, Applicants respectfully submit that Claim 35 is patentable over *Tsuboi*.

Based on the patentability of Claim 35, Applicants further respectfully submit that dependent Claims 36 – 38 are also patentable. If the Examiner disagrees with any of the foregoing, Applicants respectfully request that the Examiner call the undersigned who will be happy to work with the Examiner in a joint effort to resolve any remaining issues.

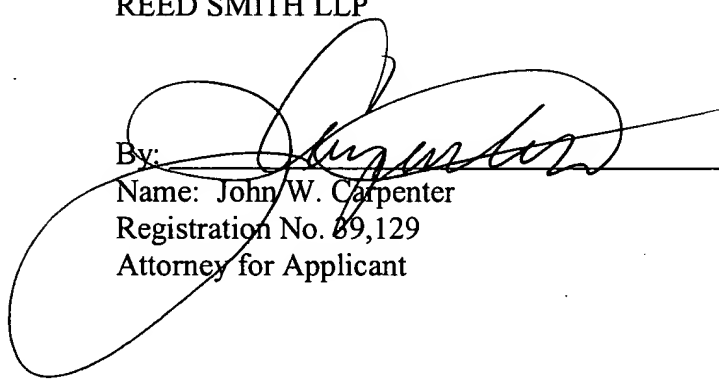
Consequently, no further issues are believed to be outstanding, and it is respectfully submitted that this case is in condition for allowance. An early and favorable action is respectfully requested.

Respectfully submitted,

REED SMITH LLP

Dated: February 17, 2006

Two Embarcadero Center
Suite 2000
PO Box 7936
San Francisco, CA 94120-7936
Direct Dial (415) 659-5927
(415) 543-8700 Telephone
(415) 391-8269 Facsimile

By: 
Name: John W. Carpenter
Registration No. 89,129
Attorney for Applicant

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Dated: 2/17/2006


Mary Kelley

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From: John W. Carpenter
 Direct Phone: 415.659.5927
 Email: jcarpenter@reedsmith.com
 Date: February 14, 2006

Reed Smith LLP
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NOTES:

Re: US Application Serial No. 09/517,149

Examiner Poon

Attached is the chart of Fig 6 from *Tsuboi* where I have added the relative values of the CMY values. Also attached is a proposed new claim.

If you do not receive all of the pages, please call Maryalice T. Kelley at 415.659.5628.

Please Transmit Before ☐9 ☐10 ☐11 a.m. ☐12 ☐1 ☐2 ☐3 ☐4 ☐5 ☐6 ☐7 ☐8 p.m.

Client Number: 351778 Matter Number: 04000 Attorney Number: 3566
 Transmission Time: a.m./p.m. Finish Time: a.m./p.m.
 Operator:

Applicant Initiated Interview Request Form

Application No: 09/517,149First Named Applicant: Minoru HoriiExaminer: Poon King Y.Art Unit: 2624Status of Application: Pending

Tentative Participants:

(1) Poon, King Y.(2) John W. Carpenter

(3) _____

(4) _____

Proposed Date of Interview: 2/16/2006Proposed Time: 1:30 EST(AM ☐ PM ☒

Type of Interview Requested:

(1) ☐ Telephonic(2) ☒ Personal(3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Discuss prior art - Claim 35 A new claim.

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant's Representative Signature

Examiner/SPE Signature

John W. Carpenter

Typed/Printed Name of Applicant or Representative

39,129

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Proposed Amended Claim 35

35. A printer, comprising:

an image processor configured to apply a series of image processing settings to a first image to produce a series of second images that include images with a progressively higher image processing setting than the first image and images with a progressively lower image processing setting than the first image;

a print section configured to,

print the first image on a printing medium,

print each second image having progressively higher image processing settings in a first direction relative to the printed first image, and

print each second image having progressively lower image processing settings in a second direction relative to the printed first image; and

an input section configured to retrieve a user selection of one of the second images;

wherein:

the image processor is further configured to apply a next series of image processing settings which are set for forming a set of images in a plus or minus direction for each of parameter values to the selected second image to produce a third set of images; and

the print section is further configured to print the selected second image and the third set of images[[]],

wherein:

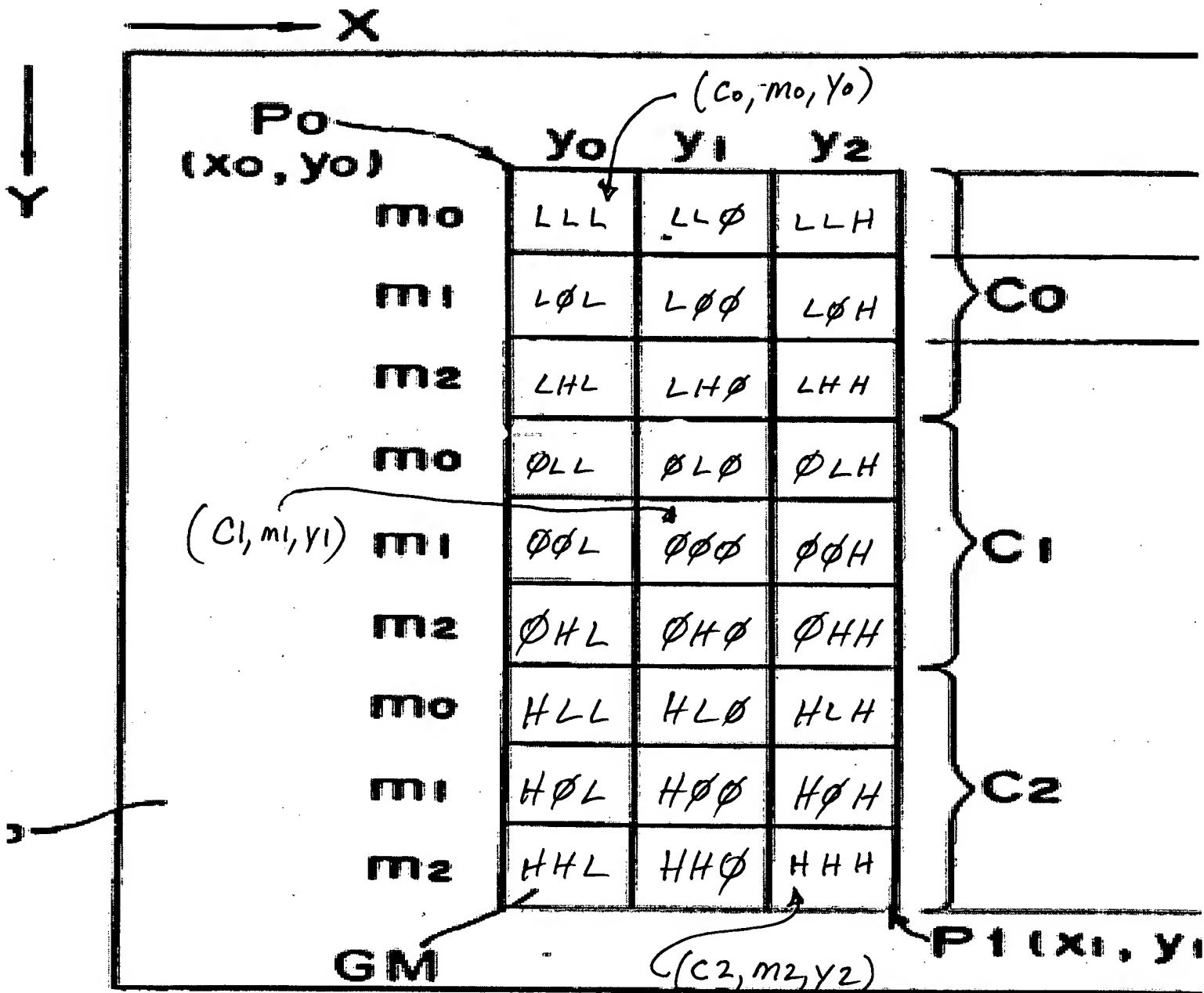
said selected second image and each of said third set of images are printed with corresponding parameter values which are expressed as a change value from an initial parameter value.

of the first image

9090



(c, m, y)



$L = \text{original} - a,$
 $H = \text{original} + a,$
 $\emptyset = \text{original}$

see eqs. (1) - (6)
col. 11, lines 51-61.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,149	03/02/2000	Minoru Horii	21778.04000	4549

7590 02/21/2006

Adam H Tachner
Crosby Heafey Roach & May
PO Box 7936
San Francisco, CA 94120-7936

EXAMINER

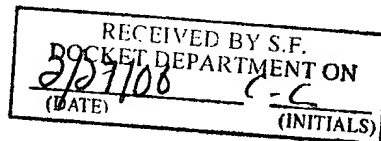
POON, KING Y

ART UNIT PAPER NUMBER

2624

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



RESPONSE DUE resp to advisory action
RESPONSE DATE 4/21/06

Advisory Action
Before the Filing of an Appeal Brief



Application No.

09/517,149

Examiner

King Y. Poon

Applicant(s)

HORII, MINORU

Art Unit

2625

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 February 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 35-38.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

KING Y. POON

PRIMARY EXAMINER

Art Unit: 2625



Attachment

With respect to applicant's argument that Tsuboi does not teach print image having progressively lower or higher processing setting in any direction, has been considered.

In reply: the examiner interprets claimed limitations in light of specification; the examiner also determines disclosure requirement in light of specification.

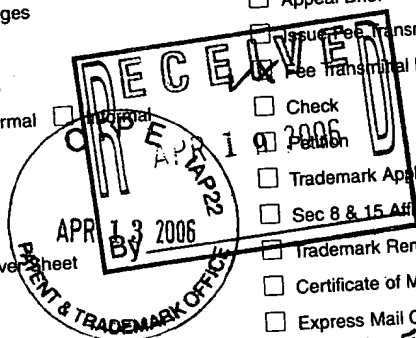
In determining disclosure requirement, the examiner sees that fig. 3 of the present application clearly teaches (0, +3, 0) and (0, 0, -3) is in the direction of left to right and (0, 0, -3) (0, +3, 0) is in the direction from right to left in relative to (0, 0, 0). The first printed image is (0, 0, 0) in fig. 3. The claimed limitation does not require any of the processing parameter to be higher than the first image. The claimed limitations also do not require all processing parameters to be progressively higher from one image to another. Therefore, the examiner does not raise the 112 first paragraph rejection (disclosure requirement).

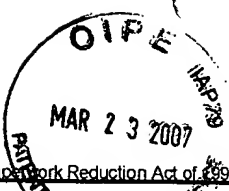
In regarding to claim rejection, if the first image of Tsuboi is C1M1Y1, then (C1, Y0, M0), (C1, Y1, M0), (C1, Y2, M0) are second image having progressively higher image processing settings (Y, Y1, Y2, with other settings remain constant; like the applicant's disclosure in fig. 3) in a first (left to right) direction in relative to (C1, Y1, M1).



Application No. 09/517,149 RS Ref.: 351778.04000 Atty: JWC
In re application of: Minoru Horii
Date Mailed: 4/10/2006 Due Date: 4/10/06 First Business day after 4/8/2006 due date
The following has been received in the USPTO on the date stamped hereon:

- ☒ Transmittal
- ☐ Provisional Application: _____ pages
- ☐ Utility Application: _____ pages
- ☐ Design Application: _____ pages
- ☐ Drawings: _____ sheets ☐ Formal ☐ Informal
- ☐ Non-Publication Request
- ☐ Oath / Declaration
- ☐ Power of Attorney
- ☐ Assignment & Recordation Cover Sheet
- ☒ Preliminary Amendment
- ☐ IDS
- ☐ Response / Amendment
- ☒ Request for Extension of Time -in duplicate
- Express Mail Label No.: _____
- ☐ Notice of Appeal
- ☐ Appeal Brief
- ☐ Issue Fee Transmittal Form
- ☒ Fee Transmittal Form -in duplicate
- ☐ Check
- ☐ Petition
- ☐ Trademark Application & Specimens
- ☐ Sec 8 & 15 Affidavit
- ☐ Trademark Renewal Application
- ☐ Certificate of Mailing
- ☐ Express Mail Certificate
- ☒ Other: RCE
- ☒ Return Postcard





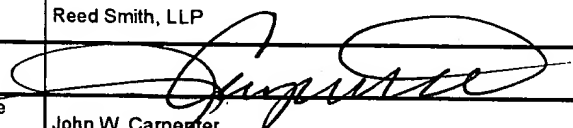
 MAR 23 2007

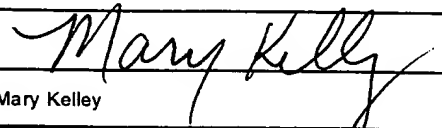
PTO/SB/21 (09-04)
 Approved for use through 07/31/2006. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/517,149	
	Filing Date	March 2, 2000	
	First Named Inventor	Minoru Horii	
	Art Unit	2624	
	Examiner Name	Poon, King Y.	
Total Number of Pages in This Submission	9	Attorney Docket Number	351778.04000

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Extension of Time Request for Continued Examination Return Postcard
Remarks: _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Reed Smith, LLP		
Signature			
Printed name	John W. Carpenter		
Date	Reg. No.	39,129	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Mary Kelley	Date	April 10, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 910.

Complete if Known

Application Number 09/517,149
Filing Date March 2, 2000
First Named Inventor Minoru Horii
Examiner Name Poon, King Y.
Art Unit 2624
Attorney Docket No. 351778.004000

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-2603

Deposit Account Name REED SMITH LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	790	2001	395	Utility filing fee	
		1002	350	2002	175	Design filing fee	
		1003	550	2003	275	Plant filing fee	
		1004	790	2004	395	Reissue filing fee	
		1005	200	2005	100	Provisional filing fee	
SUBTOTAL (1)							(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	4	**4	=	0	X	50.	=	0.
Independent Claims	1	**1	=	0	X	200.	=	0.
Multiple Dependent					X		=	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	** Reissue independent claims over original patent
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				0.

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051	65	Surcharge - late filing fee or oath	
		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
		1053	130	2053	130	Non-English specification	
		1812	2,520	2812	2,520	For filing a request for reexamination	
		1804	920*	2804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1,840*	2805	1,840*	Requesting publication of SIR after Examiner action	
		1251	120	2251	60	Extension for reply within first month	120.
		1252	450	2252	225	Extension for reply within second month	
		1253	1020	2253	510	Extension for reply within third month	
		1254	1,590	2254	795	Extension for reply within fourth month	
		1255	2,160	2255	1,080	Extension for reply within fifth month	
		1401	500	2401	250	Notice of Appeal	
		1402	500	2402	250	Filing a brief in support of an appeal	
		1403	1,000	2403	500	Request for oral hearing	
		1451	1,510	2451	1,510	Petition to institute a public use proceeding	
		1452	500	2452	250	Petition to revive - unavoidable	
		1453	1,500	2453	750	Petition to revive - unintentional	
		1501	1,400	2501	700	Utility issue fee (or reissue)	
		1502	800	2502	400	Design issue fee	
		1503	1,100	2503	550	Plant issue fee	
		1460	130	2460	130	Petitions to the Commissioner	
		1807	50	2807	50	Processing fee under 37 CFR 1.17 (q)	
		1806	180	2806	180	Submission of Information Disclosure Stmt	
		8021	40	28021	40	Recording each patent assignment per property (times number of properties)	
		1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	790	2801	395	Request for Continued Examination (RCE)	790.
		1802	900	2802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 910.)

SUBMITTED BY

Name (Print/Type) John Carpenter

Registration No. (Attorney/Agent)

39,129

Telephone

415-659-5969

Signature

Date

April 10, 2006

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

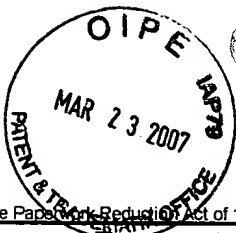
This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) 351778.04000																									
Application Number 09/517,149		Filed March 2, 2000																									
For Printer and Printing Method (As Amended)																											
Art Unit 2624		Examiner Poon, King Y.																									
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table border="1"><thead><tr><th></th><th>Fee</th><th colspan="2">Small Entity Fee</th></tr></thead><tbody><tr><td><input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))</td><td>\$120</td><td>\$60</td><td>\$120.</td></tr><tr><td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td><td>\$450</td><td>\$225</td><td>\$</td></tr><tr><td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td><td>\$1020</td><td>\$510</td><td>\$</td></tr><tr><td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td><td>\$1590</td><td>\$795</td><td>\$</td></tr><tr><td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td><td>\$2160</td><td>\$1080</td><td>\$</td></tr></tbody></table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>50-2603, (file no. 351778.04000)</u>. I have enclosed a duplicate copy of this sheet.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96). <input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>39,129</u> <input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</p> <p>_____ Signature John W. Carpenter Typed or printed name</p> <p>_____ Date April 10, 2006 _____ 415-659-5927 Telephone Number</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input type="checkbox"/> Total of _____ forms are submitted.</p>					Fee	Small Entity Fee		<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$120.	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$
	Fee	Small Entity Fee																									
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$120.																								
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$																								
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$																								
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$																								
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$																								

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PTO/SB/30 (04-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/517,149
Filing Date	March 2, 2000
First Named Inventor	Minoru Horii
Art Unit	2624
Examiner Name	Poon, King Y.
Attorney Docket Number	351778.04000

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. ☐ Other _____
 - b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/ Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☒ Other Return Postcard
2. **Miscellaneous**
 - a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 - a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-2603. I have enclosed a duplicate copy of this sheet.
 - i. ☒ RCE fee required under 37 CFR 1.17(e)
 - ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. ☐ Other _____
 - b. ☐ Check in the amount of \$ _____ enclosed
 - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	April 10, 2006
Name (Print/Type)	John Carpenter	Registration No.	39,129

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Signature	
Name (Print/Type)	Mary Kelley
Date	April 10, 2006

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Attorney's Docket No. 351778.04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Minour HORII

For: Printer and Printing Method (As Amended)

Application No. 09/517,149

Filing Date: March 2, 2000

Examiner: Poon, King Y.

Group Art Unit: 2624

PRELIMINARY AMENDMENT

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Preliminary Amendment for filing in the above-identified patent application as follows:

Amendments to the Claims are reflected on page 2 of this paper.

Remarks are reflected on page 4 of this paper.

In the Claims

1. – 34 (Cancelled)

35. (Previously Amended) A printer, comprising:

an image processor configured to apply a series of image processing settings to a first image to produce a series of second images that include images with a progressively higher image processing setting than the first image and images with a progressively lower image processing setting than the first image;

a print section configured to,

print the first image on a printing medium,

print each second image having a progressively higher image processing setting[[s]] in a first direction relative to the printed first image, and

print each second image having a progressively lower image processing setting[[s]] in a second direction relative to the printed first image; and

an input section configured to retrieve a user selection of one of the second images;

wherein:

the image processor is further configured to apply a next series of image processing settings which are set for forming a set of images in a plus or minus direction for each of parameter values to the selected second image to produce a third set of images;

the print section is further configured to print the selected second image and the third set of images; and

said selected second image and each of said third set of images are printed with corresponding parameter values which are expressed as a change value from an initial parameter value of the first image.

36. (Previously Presented) The printer according to Claim 35, wherein the image processing settings comprise at least one of R, G, B, tint, brightness, and sharpness.

37. (Previously Presented) The printer according to Claim 35, wherein:

the image processing settings comprise a tint comprising R, G, and B settings;

the second images are printed so as to surround the first image; and
the third images are printed so as to surround the selected second image.

38. (Previously Presented) The printer according to Claim 35, wherein the image processor and print section are configured to repeatedly prepare and print images until a desired image is produced.

REMARKS

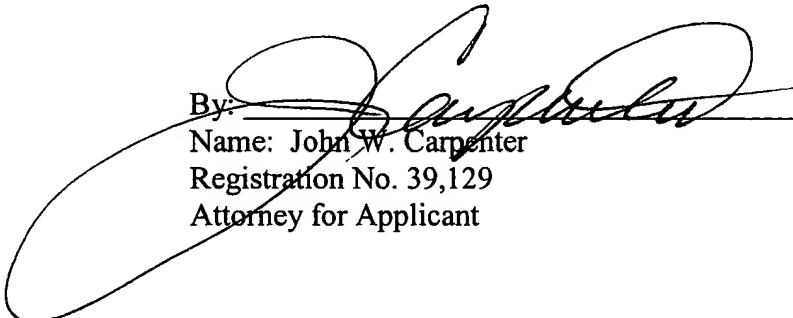
Favorable consideration of this application is respectfully requested.

The Commissioner is hereby authorized to charge any fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.78 to Deposit Account No. 50-2603, referencing Attorney Docket No. 351778.04000. A duplicate sheet is attached.

Respectfully submitted,
REED SMITH LLP

Dated: April 10, 2006

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CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, US Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on April 10, 2006.

Dated: 4/10/06


Mary Kelley

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/517,149

03/02/2000

Minoru Horii

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7590 02/07/2007
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EXAMINER

POON, KING Y

ART UNIT

PAPER NUMBER

2625

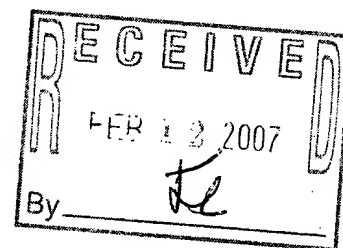
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DELIVERY MODE

02/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.





Notice of Abandonment

Application No.

09/517,149

Examiner

King Y. Poon

Applicant(s)

HORII, MINORU

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 08 December 2005.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

KING Y. POON
PRIMARY EXAM

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.